

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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PEDRO ROSALES MARTINEZ,

Plaintiff,

Case No. 3:10-cv-00748-MMD-VPC

ORDER

v.

COLBY PALMER, et al.,

Defendants.

The Court's September 21, 2015 Order defers ruling on County Defendants and City Defendants' argument that Plaintiff's claims are barred under *Heck v. Humphrey*, 512 U.S. 477 (1994) because Plaintiff stands convicted of one count for which he was originally convicted pending appointment of *pro bono* counsel for Plaintiff. (Dkt. no. 115.) Now that *pro bono* counsel has been appointed, the Court will set a briefing schedule for the parties to brief this issue. Defendants will have fifteen (15) days to file their brief to present their arguments that Plaintiff's claims are precluded under *Heck*.<sup>1</sup> Plaintiff will have thirty (30) days from the filing of Defendants' brief to file a response.

DATED THIS 26<sup>th</sup> day of April 2016.



MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE

<sup>1</sup>The Court assumes Defendants will not require the same amount of time as Plaintiff's *pro bono* counsel in light of the fact that Defendants previously briefed this issue.